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Interim Co-Lead Consumer Class Counsel

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MAXIMILIAN KLEIN, et al.,

Plaintiffs,

vs.

META PLATFORMS, INC.,

Defendant.

This Document Relates To: All Actions

Consolidated Case No. 3:20-cv-08570-JD

**DECLARATION OF KEVIN Y. TERUYA IN
SUPPORT OF CONSUMER PLAINTIFFS'
MOTION TO EXCLUDE PORTIONS OF
DR. DENNIS CARLTON'S PROPOSED
TESTIMONY**

The Hon. James Donato

Hearing Date: June 20, 2024 at 10:00 a.m.

I, Kevin Y. Teruya, declare:

1. I am a partner at Quinn Emanuel Urquhart & Sullivan, LLP (“Quinn Emanuel”). I serve as Interim Co-Lead Consumer Class Counsel for the Consumer Class in this action. I have been actively involved in this action, am familiar with the proceedings, and have personal knowledge of the matters stated herein.

2. I respectfully submit this declaration in support of Consumer Plaintiffs’ Motion to Exclude Portions of Dr. Dennis Carlton’s Proposed Testimony. Attached to this declaration are true and correct copies of **Exs. 1-9**, which are documents and deposition transcripts that Consumer Plaintiffs cite in their Motion. For the Court’s convenience, the relevant portions of the documents and deposition transcripts have been highlighted and, where applicable, excerpted.¹

<u>Ex. No.</u>	<u>Description of Exhibit</u>	<u>Provisionally Filed Under Seal</u>
1	Merits Expert Report of Facebook Expert Dennis W. Carlton, Ph.D.	Yes
2	Excerpts from Deposition of Dr. Dennis Carlton, taken in <i>Klein v. Meta Platforms</i> on March 7, 2024	Yes
3	Excerpts from the Merits Expert Report of Facebook Expert John A. List, Ph.D.	Yes
4	Excerpts from Deposition of Dr. John List, taken in <i>Klein v. Meta Platforms</i> on March 1, 2024	Yes
5	Excerpts from Deposition of Thomas Cunningham, taken in <i>Klein v. Meta Platforms</i> on June 21, 2023	Yes
6	PALM-003694642	Yes
7	Hendel, Igal, and Aviv Nevo. “Measuring the implications of sales and consumer inventory behavior.” <i>Econometrica</i> 74, no. 6 (2006)	No
8	Excerpts from 2010 Horizontal Merger Guidelines from the U.S. Department of Justice and the Federal Trade Commission	No
9	Excerpts from 2023 Merger Guidelines from the U.S. Department of Justice and the Federal Trade Commission	No

¹ Should the Court find it helpful, Consumers can submit any cited materials in full.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct.

3 Executed on this 5th day of April, 2024 in Los Angeles, California.

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5 By /s/ Kevin Y. Teruya

6 Kevin Y. Teruya
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